

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

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Benjamin Mostaed, on behalf of himself and all others	:	
similarly situated,	:	
	:	
Plaintiffs,	:	No. 3:11-CV-079-REP
	:	
vs.	:	
	:	
James B. Crawford, et al.,	:	
	:	
Defendants.	:	
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DECLARATION OF STUART W. GOLD

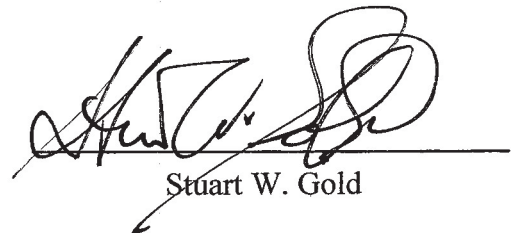
STUART W. GOLD, under penalty of perjury pursuant to 28 U.S.C. § 1746, hereby declares as follows:

1. I am an attorney admitted to practice before the courts of the State of New York, and am a partner at the firm Cravath, Swaine & Moore LLP ("Cravath"). I have been admitted *pro hac vice* in the above-captioned action (the "Action") as counsel for defendants James B. Crawford, Robert H. Foglesong, Richard M. Gabrys, Robert B. Holland, Bobby R. Inman, Dan R. Moore, Stanley C. Suboleski, and Linda J. Welty (the "Individual Defendants"). Before the June 1, 2011 merger of defendant Massey Energy Company and a subsidiary of defendant Alpha Natural Resources, Inc. ("Alpha"), I was also counsel to Massey. I submit this declaration in support of Defendants' Opposition to Plaintiff Mostaed's Motion for an Award of Attorneys' Fees, Reimbursement of Expenses, and Incentive Awards.

2. The defendants in this Action entered into an agreement with plaintiff Mostaed's counsel to provide them with a copy of the documents that Massey and the Individual Defendants produced to the plaintiffs in In re Massey Energy Derivative Litigation, No. 5430-VCS (Del. Ch.) pending in the Delaware Court of Chancery (the "Delaware Action").
3. In connection with my representation of Massey in this Action and in the Delaware Action, I oversaw Cravath's provision of documents to Mostaed on behalf of Massey and the Individual Defendants.
4. Each document Cravath provided to Mostaed in this Action had already been, or was contemporaneously being, produced to the plaintiffs in the Delaware Action in response to a document request served on Massey by the Delaware plaintiffs.
5. Cravath first provided to plaintiff Mostaed documents from the production in the Delaware Action on April 4, 2011.

I declare under penalty of perjury that, to the best of my knowledge, the foregoing is true and correct.

Dated: New York, New York
July 26, 2011



Stuart W. Gold